

Public Law 104-198
104th Congress

An Act

Sept. 18, 1996 To confer jurisdiction on the United States Court of Federal
Claims with respect

claims of Pueblo of Isleta Indian Tribe.

740]

*Be it enacted by the Senate and House of
Representatives of
New Mexico. the United States of America in Congress
assembled,*

SECTION 1. JURISDICTION.

Notwithstanding sections 2401 and 2501 of title
28. United
States Code. and section 12 of the Act of August
13. 1946 (60
Stat. 1052). or any other law which would
interpose or support
a defense of untimeliness. jurisdiction is hereby
conferred upon
the United States Court of Federal Claims to hear,
determine.
and render judgment on any claim by Pueblo of
Isleta Indian
Tribe of New Mexico against the United States
with respect to
any lands or interests therein the State of New
Mexico or any
adjoining State held by aboriginal title or otherwise
which were
acquired from the tribe without payment of adequate
compensation
by the United States. As a matter of adequate
compensation. the
United States Claims Court may award interest at a
rate of five
percent per year to accrue from the date on
which such lands
or interests therein were acquired from the tribe by
the United
States. Such jurisdiction is conferred only with
respect to claims
accruing on or before August 13, 1946. and all such
claims must
be filed within three years after the date of
enactment of this
Act. Such jurisdiction is conferred notwithstanding
any failure of
the tribe to exhaust any available administrative
remedy.

SEC. 2. CERTAIN DEFENSES NOT APPLICABLE.

Any award made to any Indian tribe other than
the Pueblo
of Isleta Indian Tribe of New Mexico before, on, or
after the date
of the enactment of this Act under any judgment of
the Indian
Claims Commission or any other authority with
respect to any

lands that are the subject of a claim submitted by the tribe under section 1 shall not be considered a defense, estoppel, or set-off to such claim, and shall not otherwise affect the entitlement to, or amount of, any relief with respect to such claim.

Approved September 18, 1996.

LEGISLATIVE HISTORY—H.R. 740:

HOUSE REPORTS: No. 104-694 (Comm. on the Judiciary)
CONGRESSIONAL RECORD, Vol. 142 (1996):

July 29, considered and passed House.
Sept. 4, considered and passed Senate.